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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Eberhard FRITZ et al.

Appln. No.: 10/018,623

Examiner: GILBERT, Samuel

Filed: December 18, 2001

Art Unit: 3736

Attorney Docket No.: 3993.002

Confirmation No.: 4998

For: RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT

Customer No.: 30448

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being deposited either by facsimile to 571-273-8300 or with the U.S. Postal Service as First Class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-

1450 on December 21, 2006

_, Reg. No. 32,665

PETITION TO WITHDRAW HOLDING OF ABANDONMENT / REVIVE ABANDONED APPLICATION

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby petition under 37 C.F.R. §1.181 (a) for withdrawal of the holding of abandonment, or, in the alternative, petition to revive the application under 37 C.F.R. §1.137(b). Enclosed as exhibits hereto are the following:

{WP358503;1}

U.S. Application No. 10/018,623 PETITION TO REVIVE PATENT

Attorney Docket No.: 3993.002

Exhibit A - Issue Fee Transmittal Form filed May 10, 2006 requesting Issue Fee be paid out using the Deposit Account.

Exhibit B - Confirmation report indicating that the documents were successfully transmitted to the USPTO at 571-273-2885 on May 10, 2006.

Applicants hereby declare that the filing of the required Issue Fee was filed by the required due date.

If the request to withdraw the holding of abandonment is denied, Applicants hereby Petition for Revival of the application under 37 C.F.R. §1.137(b). Applicant states that the entire delay in filing the Request for Continued Examination until the filing of this petition pursuant to 37 CFR §1.137(b) was unintentional. Authorization is hereby granted to charge the Petition fee to Deposit Account No. 50-0951, if deemed necessary.

Applicants request the decision of this petition in writing to the address associated with Customer Number 30448 and further examination of this application as soon as possible.

Respectfully submitted,

AKERMAN SENTERFITT

Date: December 21, 2006

Stephan A. Pendorf

Registration No. 32,665

222 Lakeview Avenue, Suite 400

Post Office Box 3188

West Palm Beach, FL 33402-3188

Telephone: 561.653.5000

{WP358503;1}

EXHIBIT A

APPLICATION NO.: 10/018,623

TITLE OF INVENTION: RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT

PTQ/SB/21 (09-04) Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Tradomark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid QMB control number. Application Number 10/018.623 RECEIVED Filing Date TRANSMITTAL March 22, 2002 **CENTRAL FAX CENTER** First Named Inventor FRITZ, Eborhard **FORM** Art Unit 3735 Examiner Name Samuel G. Gilbert (to be used for all correspondence after initial filing) Attorney Docket Number 3993.002 Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC Fee Transmittel Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please identify **Terminal Disclaimer** below): Extension of Time Request Form PTQL-85 B - Fee Transmittal Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Capy of Priority Document(s) The enclosed documents are being submitted for payment of the Issue Fee. The Commissioner is authorized to charge the deposit account for the amount due, as specified on PTOL-85 B. Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Akermafi\Senlerfitt Signature Printed name Stephan A. Pendorf Date Reg. No. May 10, 2006 32.665 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mall in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date

May 10, 2006

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Stephan A. Pendorf

Typed or printed name

Part B - Ferse Transmittal

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EXHIBIT B

APPLICATION NO.: 10/018,623

TITLE OF INVENTION: RADIATION SOURCE FOR ENDOVASCULAR RADIATION TREATMENT

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